

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

AMY MCDONALD-ELERY

PLAINTIFF

VS.

CIVIL ACTION NUMBER 5:18-CV-1-KS-MTP

NATCHEZ-ADAMS SCHOOL DISTRICT

DEFENDANT

ORDER

On January 22, 2018, a Report and Recommendation [5] was entered by Magistrate Judge Michael T. Parker. On February 2, 2018, the Plaintiff filed an Objection [6] to the Report and Recommendation. The undersigned Judge overlooked the Objection and entered an Order adopting the Report and Recommendation as being unresponded to. This Order was entered in error.

The undersigned Judge has reviewed the Report and Recommendation and reviewed the Objection [6] filed by Plaintiff and finds that the Objection does in fact point out an error in the Report and Recommendation of Magistrate Parker dealing with the balance in the bank account. However, the Court finds that the reasoning in the Report and Recommendation is correct and that the Plaintiff has adequate assets that are available to her and her husband to pay the filing fee without creating an undue hardship. The Court finds that the Motion for Leave to Proceed in forma pauperis [2], should be DENIED;

That Plaintiff should be given (60) sixty days from the date of this Order to pay all of the costs associated with the filing of this lawsuit; and

That should Plaintiff fail to timely pay all of the costs associated with the filing of this lawsuit, this matter may be dismissed without prejudice and without further notice.

SO ORDERED AND ADJUDGED, this the 14th day of February, 2018.

s/Keith Starrett  
UNITED STATES DISTRICT JUDGE